

DEPARTMENT OF STATE REVENUE

LETTER OF FINDINGS NUMBER: 00-0069P

Income Tax Penalty
Calendar Year 1998

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ISSUE(S)

I. **Tax Administration** – Penalty

Authority: IC 6-8.1-10-2.1(d); 45 IAC 15-11-2

Taxpayer protests the penalty assessed.

STATEMENT OF FACTS

Taxpayer, in a letter dated January 25, 2000 protested the penalty assessed for 1998.

I. **Tax Administration** -Penalty

DISCUSSION

Taxpayer was assessed a negligence penalty for failure to timely pay its entire tax liability by the due date of the return.

Taxpayer states that the failure to include the remittance along with its 1998 IT20S return was an oversight and not an intentional infraction of the rules. Taxpayer requests the penalty be considered for abatement.

Taxpayer was several months late in paying all of its tax liability. Overlooking the tax due upon filing a return is not considered reasonable cause.

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The department finds that a negligence penalty is proper.

FINDING

Taxpayer's protest is denied.

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